

thereon one or more nucleotide sequences, wherein each of the nucleotide sequences is selected from the group consisting of SEQ ID NO: 1 through SEQ ID NO: 8283 or complements thereof.

- A1
37. (Amended) The composition [computer readable medium] according to claim 36, wherein each of the nucleotide sequences or complements thereof encodes a *B. thuringiensis* protein or polypeptide.
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Please add new claims 51-53 as set forth below:

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51. (New) A composition for use in identifying a nucleic acid sequence obtainable from a *Bacillus thuringiensis* species comprising a computer readable medium having recorded thereon one or more nucleotide sequences selected from the group consisting of SEQ ID NO:1 through SEQ ID NO:8283, wherein said nucleic acid sequence encodes a protein selected from the group consisting of an insect inhibitory protein and an antibiotic biosynthesis protein.
52. (New) A composition for use in a method for identifying a nucleic acid sequence obtained from a *Bacillus thuringiensis* species comprising a first computer readable medium having recorded thereon one or more nucleotide sequences selected from the group consisting of SEQ ID NO:1 through SEQ ID NO:8283, said method comprising the steps of:
- a) isolating and purifying total DNA from a *Bacillus thuringiensis* species;
  - b) constructing a library of DNA clones from the isolated and purified total DNA;
  - c) identifying the nucleotide sequences of each clone and making the nucleotide sequences available on a second computer readable medium;
  - d) comparing the nucleotide sequences available in said second computer readable medium with the sequences on said first computer readable medium, and

e) subtracting sequences from said second computer readable medium that exhibit complete complementarity with sequences from said first computer readable medium;

wherein one or more sequences remaining in said second computer readable medium encode proteins selected from the group consisting an insect inhibitory protein and an antibiotic biosynthesis protein.

53. (New) A composition for use in identifying a nucleic acid sequence obtained from a *Bacillus* species comprising a computer readable medium having recorded thereon one or more nucleotide sequences, wherein each of the nucleotide sequences is selected from the group consisting of SEQ ID NO: 1 through SEQ ID NO: 8283 or complements thereof, and wherein sequence identity between said nucleic acid sequence obtained from said *Bacillus* species and said nucleotide sequences or complements thereof recorded on said computer readable medium are optimally aligned for comparison using a nucleotide sequence alignment means.

A Clean Copy of the Claims is attached hereto.

### REMARKS

This paper is filed along with a petition for three months extension of time along with payment of, or authorization to charge an appropriate deposit account, the appropriate fee(s). Therefore, it is believed that this paper is timely filed.

The Examiner has indicated in the official action that only claims 36-37 are pending in the case. It is believed that this is in error, because no claims have been canceled or withdrawn either by the Examiner or by the Applicant. Therefore, it is believed that claims 1-50 are pending in the case and with this response and the addition of claims 51-53 now claims 1-53 are pending in the case. Claims 36-37 were elected for further prosecution.

Claims 36-37 have been amended with this paper, and it is respectfully requested that new claims 51-53 be entered into the case. It is believed that the subject matter of the amendments to the claims and the new claims is fully supported by the specification as filed.